

REMARKS

Reconsideration of this application is respectfully requested. Claims 35 and 42 have been canceled without prejudice. Claims 1 and 71 have been amended to recite the sequential steps of (i) mercerizing previously unmercerized cellulose pulp with a cellulose II mercerizing agent, (ii) recovering the cellulose pulp from the product of step (i), (iii) alkaliating the cellulose pulp obtained in step (ii), and (iv) etherifying the alkali cellulose in step (iii) to form the cellulose ethers. Support for this amendment is found at, for example, Examples 1-5 and 7-10 in the specification. Claims 10-15, 17, 19-34, 36-38, and 40 have been amended to correspond to the renumbered process recited in claim 1. Claims 1-34, 36-41, 43-50 and 55-73 are pending. Because claims 4-10, 19, 24-42, 44-50, 55-70, 72, and 73 have been withdrawn from consideration, only claims 1-3, 11-18, 20-23, 43, and 71 are at issue.

Withdrawn Claims

Paragraph 7 (page 4) of the November 16, 2007 Office Action states that several claims, including claims 4, 5, 7, 9, 10, 19, 24-42, 46 and 73 have been withdrawn from consideration as they do not read on the elected cellulose pulp (sulfite pulp) and cellulose ether (carboxymethyl cellulose (CMC)). Claims 4, 5, 7, 9, 10, 19, 24-42, 46 and 73, however, do read on the elected specie. For instance, claims 4, 5, and 7 recite that the cellulose pulp can be southern softwood sulfite cellulose pulp. Another example is claims 19-42, which depend from claim 1, recite particular process steps and parameters and do not restrict the type of pulp used in the process. For the foregoing reasons, applicants respectfully request that claims 4, 5, 7, 9, 10, 19, 24-42, 46 and 73 be rejoined and considered in this application.

Prior Art Rejections

Claims 1-3, 11-18, 20-23, and 71 have been rejected under 35 U.S.C. §102(e) as anticipated by Hyatt (U.S. Patent No. 6,057,438), and claim 43 has been rejected under 35 U.S.C. §103(a) as obvious over Hyatt. Hyatt discloses a process for upgrading paper-grade wood pulp to dissolving grade pulp which is suitable for use in the preparation of viscose rayon, cellulose ethers, and cellulose esters. The process involves a sequence of (i) caustic extraction, (ii) xylanase treatment and (iii) caustic extraction to remove most of the xylan. *See abstract.*

Hyatt's process is described in detail at column 5, lines 26-53. The process includes:

- (1) intimately mixing a paper-grade hardwood, kraft or soda pulp with aqueous sodium hydroxide at 50-100° C,
- (2) subjecting the slurry from step (1) to liquid/solid separation and removing sodium hydroxide from the solid material separated,
- (3) intimately contacting the solid material from step (2) with an aqueous solution of a xylanase enzyme,
- (4) subjecting the slurry from step (3) to liquid/solid separation,
- (5) intimately contacting the solid material from step (4) with aqueous sodium hydroxide at 50-100° C, and
- (6) subjecting the slurry from step (5) to liquid/solid separation and removing sodium hydroxide from the solid material separated to obtain dissolving grade pulp.

The claims as amended do not permit a xylanase treatment after mercerization of the cellulose pulp (step (a) in pending claim 1) and before derivatization of the cellulose (steps (c) and (d) in claim 1) as in the Hyatt process. Accordingly, Hyatt does not anticipate or render obvious the presently claimed process. Applicants therefore respectfully request withdrawal of this rejection.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: February 19, 2008

Respectfully submitted,

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